

REMARKS

Claims 1-3, 5-6, 12-17, 19-21, 28-30, 45-48 and 50 are pending in the application.

Claims 1-3, 5-6, 12-17, 19-21, 28-30, 45-48 and 50 have been rejected.

Claims 1, 12, 15, 28, 45, 48 and 50 have been amended.

Rejection of Claims Under 35 U.S.C. § 102

Claims 1-3, 12, 45-48 and 50 stand rejected under 35 U.S.C. §102(e) as purportedly being anticipated by U.S. Patent No. 6,804,657 issued to Sultan ("Sultan"). Applicants respectfully traverse this rejection.

Independent Claims 1, 12, 15, 28, 45, 48, and 50, as amended, each contain a limitation of substantially the following form:

a forecast series creation set of instructions to... store the forecast series, wherein the stored forecast series is accessible for use in generation of the forecast upon request.

See, e.g., Claim 1 (amended). Applicants respectfully submit that Sultan fails to provide disclosure of a forecast series such as that provided by the independent claims of the present invention.

The Office Action cites to the following section of Sultan as purported disclosure of storing a forecast series for use in generation of a forecast:

Considering now Figs. 2 and 3 collectively, Account Supervisor B112 may want to generate a forecast for the sales of a particular product over a specified future time period, based upon the pipeline information entered by those Account representatives that report to her; namely Account representatives B1121 through B1125. After individually reviewing the pipeline information entered by each Account representative B1121 through B1125, B112 may cause a forecast to be generated, as graphically represented in Fig. 3 by "rolling up" the forecast information for each of

the Account representatives B1121 through B1125 that report to her. This may be done by issuing an appropriate query (predetermined query run by clicking on a “forecast tab”, for example, on the user’s screen – see reference 320 in Fig. 3) to the database 310 via an Internet browser running the global forecasting application according to the present invention. As a result, Account Supervisor B112 will see a forecast 322 (covering the next quarter, for example) including the aggregate (the sum) of the sales forecasts for each of her Account Representatives B1121 – B1125.

Sultan 9:5-25 (including Sultan 9:17-22 cited at Office Action, p. 3). Thus, the cited section relates to generating a forecast by rolling up forecast information for each Account representative. *See* Sultan 9:11-17. The query is issued to the database, which clearly means that the query is performed on the database. *See* Sultan 9:22-25 (“As a result [of issuing the query], Account Supervisor B112 will see a forecast 322 (covering the next quarter, for example)...”).

The section of Sultan cited by the Office Action provides no disclosure of the claimed storing of the forecast series for use in generation of a forecast. Further, the ability to store the claimed forecast series emphasizes a distinction between a forecast series and a mere query to a database (as provided by Sultan). The Office Action suggests that “generating a forecast can involve submitting a query” (Office Action, p. 5), but the ability to store a forecast series clearly distinguishes a forecast series from a query. Thus, Applicants respectfully submit that the Office Action mistakenly equates a query to a forecast series.

Further, Sultan purportedly generates forecasts through the referenced querying. This is distinct from the claimed forecast series, which itself is not generation of a forecast. As claimed, the forecast series includes the identification of various parameters that define attributes of forecasts. Generation and storage of the forecast series do not involve querying of the database. Instead, the forecast series is stored for eventual use in generation of a forecast. Thus, generation and storage of the forecast series is distinct from creation of a

forecast. This distinction is further emphasized by, for example, a limitation of Claim 1 which provides “a forecast creation set of instructions to generate the forecast using the forecast series.”

To further emphasize the distinction between the claimed forecast series and Sultan’s querying, Applicants have amended the independent claims to indicate that the forecast series is stored and then the stored forecast series is accessible for use in generation of the forecast upon request. Applicants submit that the cited sections of Sultan provide no disclosure of a stored forecast series that is accessible to be used in generation of forecasts upon request. Sultan does not contemplate such a requestable forecast series because Sultan focuses upon the use of querying the database to generate a forecast at the time of the querying. Sultan appears to have no need for the requestable forecast series provided by the present application.

Applicants further incorporate by reference discussion related to the distinction between Sultan and the present application as provided by previous responses to office actions, to the extent that such discussions remain applicable.

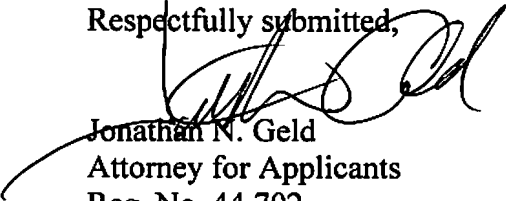
For at least these reasons, Applicants submit that the sections of Sultan cited by the Office Action fail to provide disclosure of all the limitations of the independent claims, as amended, and all claims depending therefrom and that these claims are in condition for allowance. Applicants therefore respectfully request the Examiner’s reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5090.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,



Jonathan N. Geld
Attorney for Applicants
Reg. No. 44,702
(512) 439-5090 [Phone]
(512) 439-5099 [Fax]